

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

ANDRE YOUNGBLOOD,

Plaintiff,

v.

9:10-CV-1430

**SGT. GLASSER, Greene Correctional Facility,
et al.,**

Defendants.

APPEARANCES:

OF COUNSEL:

ANDRE YOUNGBLOOD
03-A-1665
Auburn Correctional Facility
P.O. Box 618
Auburn, NY 13021
Plaintiff, *pro se*

Hon. Eric T. Schneiderman
Attorney General of the
State of New York
The Capitol
Albany, NY 12224-0341
Counsel for Defendants

Dean J. Higgins, Esq.
Assistant Attorney General

NORMAN A. MORDUE, U. S. DISTRICT JUDGE

ORDER

The above matter comes to me following a Report-Recommendation by Magistrate Judge David E. Peebles, duly filed on the 22nd day of August 2012. Following fourteen (14) days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-

Recommendation, and no objections submitted thereto, it is

ORDERED that:

1. The Report-Recommendation is hereby adopted in its entirety.
2. The defendants' motion for summary judgment dismissing the plaintiff's complaint (Dkt. No. 34) is granted, and plaintiff's complaint is dismissed in its entirety, on the merits.
3. The Clerk of the Court shall serve a copy of this Order upon all parties and the Magistrate Judge assigned to this case. Plaintiff shall be served by certified mail, return receipt requested.

IT IS SO ORDERED.

Dated: September 13, 2012
Syracuse, New York



Honorable Norman A. Mordue
U.S. District Judge